

Dental Hygienists.

RELATES TO:

STATUTORY AUTHORITY:

NECESSITY, FUNCTION, AND CONFORMITY: KRS XXX.XXX requires the board to promulgate administrative regulations relating to requirements and procedures for licensure, renewal and licensure by credentials for dental hygienists. This administrative regulation establishes those requirements and procedures.

Section 1. General Licensure Requirements. An applicant desiring licensure in the Commonwealth shall at a minimum:

- (1) Understand, read, speak, and write the English language with a comprehension and performance level equal to at least the ninth grade of education, otherwise known as Level 4, verified by testing as necessary;
- (2) Submit a completed and signed "Application for Dental Hygiene Licensure";
- (3) Pay the fee required by administrative regulation;
- (4) Not be currently subject to disciplinary action pursuant to KRS Chapter XXX which would prevent licensure;
- (5) Complete the requirements of KRS 214.615 (i);
- (6) Complete and pass the jurisprudence exam;
- (7) Have and maintain certification in cardiopulmonary resuscitation (CPR);
- (8) Submit to a criminal background check through the Administrative Office of the Courts in Kentucky, from the state(s) of residence for the last 5 years, or by fingerprint;
- (9) Provide verification of any license to practice dentistry held in any state or jurisdiction;
- (10) Be a graduate of a Commission on Dental Accreditation (CODA) accredited dental hygiene school or college or dental hygiene department of a university;
- (11) Have successfully completed the National Board Dental Hygiene Examination (written theoretical) conducted by the Joint Commission on National Dental Examinations; and
- (12) Provide an explanation for any positive returns on a query of the National Practitioners Database Reporting.

Section 2. Licensure by Examination Requirements.

- (1) An individual desiring initial licensure as a dental hygienist by examination within (2) two years after fulfilling all of the requirements of his dental hygiene education shall:
 - (a) Complete all of the requirements listed in section (1) of this administrative regulation; and
 - (b) Have successfully completed prior to July 15, 2015 any one of the following regional clinical examinations within three (3) tries:
 1. The examination of the Council of Interstate Testing Agencies;
 2. The examination of the Central Regional Dental Testing Services, Inc.;
 3. The examination of the Northeast Regional Board;
 4. The examination of the Southern Regional Testing Agency, Inc.; or
 5. The examination of the Western Regional Testing Association.

- (c) After July 15, 2015, the Board will only accept a nationalized clinical exam which requires a candidate to obtain a score of seventy-five (75) percent or higher on each individual section within three (3) tries.
- (2) An individual desiring initial licensure as a dental hygienist by examination more than two (2) years but less than five (5) years after fulfilling all of the requirements of his dental hygiene education shall:
- (a) Complete all of the requirements listed in subsection (1) of this section of this administrative regulation; and
 - (b) Hold a license to practice dental hygiene in good standing in another state or territory of the United States or the District of Columbia; or
 - (c) If the applicant does not hold a license to practice dental hygiene in good standing, complete a Board approved refresher course prior to receiving a license to practice dental hygiene in the Commonwealth of Kentucky.
- (3) An individual desiring initial licensure as a dental hygienist by examination more than five (5) years after fulfilling all of the requirements of his dental hygiene education and who does not qualify to apply for licensure by credentials shall:
- (a) Complete all of the requirements listed in section (1) of this administrative regulation;
 - (b) Successfully complete within the five (5) years prior to application a clinical examination approved in paragraph (b) or (c) of subsection (1) of this section of this administrative regulation; and
 - (c) Hold a license to practice dental hygiene in good standing in another state or territory of the United States or the District of Columbia; or
 - (c) If the applicant does not hold a license to practice dental hygiene in good standing, complete a Board approved refresher course prior to receiving a license to practice dental hygiene in the Commonwealth of Kentucky.
- (4) An applicant who has taken the clinical examination three (3) times and failed to achieve a passing score shall not be allowed to sit for the examination again until he has completed and passed a remediation plan prescribed by the board.
- ~~(3) An applicant who has not been licensed in another jurisdiction within two years of his date of graduation shall complete and pass a refresher course approved by the board.~~

Section 3. Licensure by Credentials Requirements. An individual desiring initial licensure as a dental hygienist by credentials shall:

- (1) Complete all of the requirements listed in section (1) of this administrative regulation;
- (2) Provide proof of having passed a state, regional, or national clinical exam adopted (2) Provide proof of having passed a state, regional, or national clinical exam used to determine clinical competency in a state or territory of the United States or the District of Columbia; and
- (3) Provide proof that, for the five (5) consecutive years immediately preceding the filing of his application, he has been engaged in the active practice of dental hygiene, provided that he was legally authorized to practice dental hygiene in a state or territory of the United States or the District of Columbia and further provided that his qualifications for such authorization were equal to or higher than those of this state. ~~Actively engaging in the teaching of dental hygiene shall be considered actively engaged in the practice of dental hygiene.~~

Section 4. Charitable Limited Licenses.

- (1) An individual desiring a charitable limited license shall:
 - (a) Understand, read, speak, and write the English language with a comprehension and performance level equal to at least the ninth grade of education, otherwise known as Level 4, verified by testing as necessary;
 - (b) Submit a completed and signed "Application for Charitable Dental Hygiene Licensure";
 - (c) Not be subject to disciplinary action pursuant to KRS XXX.XXX which would prevent licensure;
 - (d) Have a license to practice dental hygiene in good standing in another state; and
 - (e) Provide an explanation for any positive returns on a query of the National Practitioners Database Reporting.
- (2) Individuals licensed under this section shall:
 - (a) Work only with charitable entities registered with the Cabinet for Health and Family Services who have met the regulatory requirements of the board;
 - (b) Only perform procedures typically performed which must be completed within the duration of the charitable event;
 - (c) Be eligible for the provisions of medical malpractice insurance procured under KRS 304.40-075;
 - (d) Perform these duties without expectation of compensation or charge to the individual, and without payment or reimbursement by any governmental agency or insurer; and
 - (e) Have a charitable limited license which will be good for two (2) years and expire during the regular dental hygiene renewal cycle.

Section 5. Minimum Continuing Education Requirements.

- (1) An individual desiring renewal of an active dental hygiene license shall complete thirty (30) hours of continuing education which relates to or advances the practice of dental hygiene and would be useful to the licensee in his practice.
- (2) Of the thirty (30) required hours, a minimum of twenty (20) shall be Type 1 continuing education hours and a maximum of ten (10) shall be Type 2 continuing education hours.
- (3) Type 1 continuing education hours shall include course content comprising:
 - (a) Competency in treating patients who are medically compromised or who experience medical emergencies during the course of dental treatment;
 - (b) Knowledge of pharmaceutical products and the protocol of the proper use of medications;
 - (c) Awareness of currently accepted methods of infection control;
 - (d) Basic medical and scientific subjects including, but not limited to, biology, physiology, pathology, biochemistry, and pharmacology;
 - (e) Clinical and technological subjects including, but not limited to, clinical techniques and procedures, materials, and equipment; or
 - (f) Subjects pertinent to patient management, safety, and oral healthcare.

(4) Type 2 continuing education hours shall consist of courses which relate to or advance the practice of dental hygiene and would be useful to the licensee in his practice but which do not meet the content requirements for Type 1 continuing education hours.

(5) A minimum of ten (10) Type 1 hours shall be taken in a live classroom presentation format. A maximum of ten (10) Type 1 hours and ten (10) Type 2 hours may be taken online, via correspondence, or through the volunteer of clinical charitable dental hygiene which meets the requirements of KRS xxx.xxx.

~~Include CE requirements for local anesthesia~~

~~Provisions for education of those who have not practiced in X number of years~~

~~(6) The dental hygienist shall retain proof of recertification every two (2) years in the medical emergency course. This course shall be classified as a "B" or "C" category continuing education course under 201 KAR 8:140 and be at least three (3) clock hours in duration. This language will need to be reviewed once we decide on continuing education requirements.~~

Section 6. Renewal Requirements. An individual desiring renewal of an active dental hygiene license shall:

(1) Submit a completed and signed "Application for Renewal of Dental Hygiene Licensure";

(2) Pay the fee required by administrative regulation;

(3) Maintain without lapse CPR certification which meets or exceeds the guidelines set forth by the American Heart Association;

(a) An online CPR course which does not require a manikin-based demonstration of skill shall not be accepted.

(4) Meet the requirements of KRS 214.615(i); and

(5) Meet the continuing education requirements as outlined in Section 5 of this administrative regulation except in the following cases:

(a) If a hardship waiver has been submitted to the board more than two (2) weeks prior to the last regularly scheduled board meeting before the expiration of the individual's license and that hardship waiver has been approved by the board;

(b) If the licensee graduated in the first year of the renewal biennium, in which case he shall complete one half of the hours as outlined in Section 5 of this administrative regulation; and

(c) If the licensee graduated in the second year of the renewal biennium, in which case he shall not be required to complete the continuing education requirements outlined in Section 5 of this administrative regulation.

Section 7. Retirement of a License.

(1) An individual desiring retirement of a dental hygiene license shall submit a completed and signed "Retirement of License Form", which must be postmarked ~~by~~ on or before December 31 of the year his license expires.

(2) Upon receipt of this form, the board will send written confirmation of retirement to the last known address of the licensee.

(3) No individual may retire a license that has pending disciplinary action against it.

(4) All retirements shall be effective December 31 of the year the license expires.

Section 8. Reinstatement of a License.

- (1) An individual desiring reinstatement of a retired dental hygiene license shall:
 - (a) Submit a signed and completed “Application to Reinstate a Dental Hygiene License”;
 - (b) Pay the fee required by administrative regulation;
 - (c) Show proof of being certified in CPR;
 - (d) Provide current verification of any license to practice dental hygiene held in any state or jurisdiction;
 - (e) Submit to a criminal background check through the Administrative Office of the Courts in Kentucky, from the state(s) of residence for the last 5 years, or by fingerprint; and
 - (f) Provide an explanation for any positive returns on a query of the National Practitioners Database Reporting.
- (2) If an individual is reinstating a license that was retired within the two (2) consecutive years immediately preceding the filing of his application, he shall provide proof of having met the continuing education requirements as outlined in Section 5 of this administrative regulation within those two (2) years.
- (3) If the applicant has not actively practiced dental hygiene in the two (2) consecutive years immediately preceding the filing of his application, he shall complete and pass a refresher course approved by the board.
- (4) If a license is reinstated in the first year of a renewal biennium, the licensee shall complete all of the continuing education requirements as outlined in Section 5 of this administrative regulation prior to the renewal of his license.
- (5) If a license is reinstated in the second year of a renewal biennium, the licensee shall complete one half of the hours as outlined in Section 5 of this administrative regulation prior to the renewal of his license.

Section 9. Verification of Licensure. An individual desiring verification of a dental hygiene license shall:

- (1) Submit a signed and completed “Verification of Licensure Form”; and
- (2) Pay the fee required by administrative regulation.

Section 10. Duplicate Licenses. An individual desiring a duplicate dental hygiene license shall:

- (1) Submit a signed and completed “Duplicate License Request Form”; and
- (2) Pay the fee required by administrative regulation.

Section 11. Reciprocity. Any state which grants direct reciprocity of a Kentucky licensed dental hygienist shall enjoy the same privilege for its licensed dental hygienists.

Section 12. Local Anesthesia Registration.

- (1) An individual licensed as a hygienist in Kentucky and not subject to disciplinary action who desires to administer local anesthesia shall complete a training and education course as described in KRS XXX.XXX with a final score which exceeds seventy-four percent (74%) on a written examination administered after coursework and clinical training.

(2) The training and education course shall be offered by one of the following institutions in Kentucky:

- (a) University of Louisville School of Dentistry;
- (b) University of Kentucky College of Dentistry;
- (c) Western Kentucky University Dental Hygiene Program;
- (d) Lexington Community College Dental Hygiene Program; and
- (e) Kentucky Community Technical College System Dental Hygiene Programs.

(3) Training received outside of Kentucky shall be from a dental or dental hygiene school accredited by CODA and shall meet the requirements established in this administrative regulation.

(4) Once the required training is complete the applicant shall:

- (a) Complete the “Dental Hygiene Local Anesthesia Registration Application”; and
- (b) Pay the fee required by administrative regulation.

(5) Individuals authorized to practice under this provision shall receive a license from the board indicating the permission to practice local anesthesia.

Section 13. General Supervision Registration.

(1) An individual licensed as a hygienist in Kentucky and not subject to disciplinary action who desires to practice under general supervision shall:

- (a) Complete the “General Supervision Registration Application”;
- (b) Meet the requirements of KRS Chapter XXX.XXX(X);
- (c) Document through payroll records, employment records, or other proof that is independently verifiable the dates and hours of employment by a dentist in the practice of dental hygiene which demonstrate the required two (2) years and 3,000 hours of experience;
- (d) Successfully complete a live three (3) hour course approved by the Kentucky Board of Dentistry in the identification and prevention of potential medical emergencies which shall include, at a minimum, the following topics:
 - (1.) Medical history, including American Society of Anesthesiologists classifications of physical status;
 - (2.) Recognition of common medical emergency situations, symptoms and possible outcomes;
 - (3.) Office emergency protocols; and
 - (4.) Prevention of emergency situations during dental treatments.

(2) Individuals authorized to practice under these provisions shall receive a license from the board indicating registration to practice under general supervision.

(3) A dentist who employs a dental hygienist who has met the standards of this administrative regulation and who allows the dental hygienist to provide dental hygiene services pursuant to KRS XXX.XXX shall:

- (a) Complete a written order prescribing the dental service or procedure to be done to a specific patient by the dental hygienist; and
- (b) Retain the original order in the patient's dental record.
- (c) The minimum requirements for the written order shall include:
 - (1.) Medical history update;
 - (2.) Radiographic records requested;
 - (3.) Dental hygiene procedures requested;

- (4.) Name of the patient;
 - (5.) Date of last oral examination;
 - (6.) Date of the written order; and
 - (7.) Signature of the dentist.
- (d) The oral examination of the patient by the supervising dentist shall have been completed within seven (7) months of the treatment by the dental hygienist practicing under general supervision.
- (4) The supervising dentist shall evaluate and provide to the board written validation of an employed dental hygienist's skills necessary to perform dental hygiene services under this administrative regulation as part of the "General Supervision Registration Application".
- (5) The supervising dentist shall provide a written protocol addressing the medically-compromised patients who may or may not be treated by the dental hygienist. The dental hygienist shall only treat patients who are in the American Society of Anesthesiologists classification of Physical Status I and II as listed in "Guidelines for Teaching the Comprehensive Control of Pain and Anxiety in Dentistry", Part 2 (2000 Edition), American Dental Association.

Section 14. Public Health Hygiene.

Section 15. Issuance of Initial Licensure. Once an applicant has completed the requirements for licensure the board shall:

- (1) Issue a license in sequential numerical order; or
- (2) Deny licensure due to a violation of KRS Chapter XXX or the administrative regulations promulgated thereunder.